

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 870-6619, on the date shown below.

Dated: November 8, 2002 Signature: *Staci Harris*
(Staci Harris)

Docket No.: HO-P00798US9
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
T. W. Hutchens, et al.

Application No.: 09/123,253

Group Art Unit: 1743

Filed: July 27, 1998

Examiner: L. Alexander

For: METHOD AND APPARATUS FOR
DESORPTION AND IONIZATION OF
ANALYTES

FAX RECEIVED

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

NOV 08 2002

PETITIONS OFFICE

Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action dated April 24, 2001. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. Applicants hereby petition for revival of this application under 37 CFR 1.137(b). Applicants have enclosed a copy of the complete response that was filed on July 8, 2002.

At this time, Applicants respectfully request a refund for the fees of \$1660.00 that were paid on October 24, 2001. The fees that were paid on October 24, 2001 were fees for filing a CPA. Since the CPA was improper, Applicants authorize the Commissioner to apply the fees of \$1660.00 to this petition to revive, which requires a fee of \$1280.00.

If for any reason that the previous fees can not be applied to this petition, or there are any additional fees, the Commissioner is hereby authorized to charge the fees to the Account No. 06-2375, Order No. 09306611.

11-08-02 11:48 2002

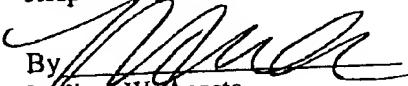
Since this utility application was filed on or after June 8, 1995, Applicants do not believe that a terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional. Applicants respectfully request that this petition be granted and the above referenced application be revived.

Dated: November 8, 2002

Respectfully submitted,

By


Melissa W. Acosta

Registration No.: 45,872
FULBRIGHT & JAWORSKI L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5151
(713) 651-5246 (Fax)